

Plaintiff's Name KING SOLOMON
CDCR No. T02783
Address California State Prison-Cor
PO Box 3481
Corcoran, CA 93212

FILED

Dec 15, 2022

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

King Solomon

(Name of Plaintiff)

1:22-cv-01604-HBK (PC)

(Case Number)

vs.

S/o Tapia

S/o Prada

CIVIL RIGHTS COMPLAINT UNDER:

42 U.S.C. 1983 (State Prisoner)

(Names of all Defendants)

I. Previous Lawsuits (list all other previous or pending lawsuits on additional page):

A. Have you brought any other lawsuits while a prisoner? Yes No X

B. If your answer to A is yes, how many?

Describe previous or pending lawsuits in the space below. (If more than one, attach additional page to continue outlining all lawsuits in same format.)

1. Parties to this previous lawsuit:

Plaintiff - - -

Defendants - - -

2. Court (if Federal Court, give name of District; if State Court, give name of County)

3. Docket Number 4. Assigned Judge

5. Disposition (Was the case dismissed?Appealed? Is it still pending?)

N/A

6. Filing Date (approx.) _____

7. Disposition Date (approx.) _____

II. Exhaustion of Administrative Remedies

NOTICE: Pursuant to the Prison Litigation Reform Act of 1995, “[n]o action shall be brought with respect to prison conditions under [42 U.S.C. § 1983], or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted.” 42 U.S.C. § 1997e(a). Prior to filing suit, inmates are required to exhaust the available administrative remedy process, *Jones v. Bock*, 549 U.S. 199, 211, 127 S.Ct. 910, 918-19 (2007); *McKinney v. Carey*, 311 F.3d 1198, 1999 (9th Cir. 2002), and neither futility nor the unavailability of money damages will excuse the failure to exhaust, *Porter v. Nussle*, 534 U.S. 516, 524, 122 S.Ct. 983, 988 (2002). If the court determines that an inmate failed to exhaust prior to filing suit, the unexhausted claims will be dismissed, without prejudice. *Jones*, 549 U.S. at 223-24, 127 S.Ct. at 925-26.

A. Is there an inmate appeal or administrative remedy process available at your institution?

Yes No _____

B. Have you filed an appeal or grievance concerning ALL of the facts contained in this complaint?

Yes No _____

C. Is the process completed?

Yes

If your answer is yes, briefly explain what happened at each level.

At the first level i was called to the Captain office for an interview after the interview i heard the officers did not deny my allegation that when the process started being delayed, an act of deliberately slowing the completion.
Please see attachment and Exhibit.

No _____

If your answer is no, explain why not.

N/A1—1——11—1——1—11—

III. Defendants

List each defendant's full name, official position, and place of employment and address in the spaces below. If you need additional space please provide the same information for any additional defendants on separate sheet of paper.

A. Name Tapia is employed as Correctional Officer
 Current Address/Place of Employment CSP COR P.O Box 3481 Corcoran, CA 93212

B. Name Prada is employed as Correctional Officer
 Current Address/Place of Employment CSP COR P.O Box 3481 Corcoran, CA 93212

C. Name _____ is employed as _____

Current Address/Place of Employment _____

D. Name _____ is employed as _____

Current Address/Place of Employment _____

E. Name _____ is employed as _____

Current Address/Place of Employment _____

IV. Causes of Action (You may attach additional pages alleging other causes of action and the facts supporting them if necessary. Must be in same format outlined below.)

Claim 1: The following civil right has been violated (e.g. right to medical care, access to courts, due process, free speech, freedom of religion, freedom from cruel and unusual punishment, etc.):

Amendment VIII. Shall not impose cruel and unusual punishment. Due Process, Amendment XIV [1868]
Equal protection of the law.

Supporting Facts (Include all facts you consider important to Claim 1. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, *by name*, did to violate the right alleged in Claim 1.):

On Friday July 2, 2021 Tapia slap a cup of water out of my hands and push me up against a wall and then hit me

in the face and push, then hit me in the mouth over and over again while verbally abusing me, with every punch came an insult, he was calling me punk bitch -- and in between the vulgar insulting language, he would challenge me to strike back. % Tapia would throw a punch and then dare me to defend myself.

% Tapia tried to provoke and/or stir me up to commit a criminal act, this was aid and abet by % Prada with his verbal threats and support for such violence.

Claim 2: The following civil right has been violated (e.g. right to medical care, access to courts, due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.):

Supporting Facts (Include all facts you consider important to Claim 2. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, *by name*, did to violate the right alleged in Claim 2.):

V. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I need Orthodontic Surgery to repair my jaw and ease my pain, physical therapy, speech therapy. Also the doctors at C.D.C.R. i have spoken to infon me that it's a high probability that i would have pain in my jaw for the rest of my life. Petitioner request a monetary amount of Six million dollar to be made whole.

I declare under penalty of perjury that the foregoing is true and correct.

Date: 28 NOV 2022

Signature of Plaintiff:

(Revised 4/4/14)

In the Title 15 under 3084.8 Appeal Time Limits, state that the Appeals Coordinator has a duty to respond to the first level within 30 days this was not done on Petitioner claim. Please see Exhibit 2-E, 1-F.

CDCR Office of Appeals stated i receive a claim decision response on 8/24/2021 this is a mistake, Petitioner's 60d was filed 7-7-2021 please see Exhibit 2-D, 60 days from this date is 9-6-2021 when the grievance claims decision response was written and not the 8-19-2021 that was put on this form. This was confusing because i had just receive a Time-Expired Response from the Office of Appeals please see Exhibit (4)(a) pursuant to the Title 15 section 3486 (i)(10). It state if the Office of Appeal is not able to respond to a claim in 60 calendar days, as in this case, then the claim must be answered Time-Expired. The letter said Petitioner appeal was close. So i became concern and wrote to the Office of the Ombudsman case #67664 please see Exhibit (2)(a) and was told that the Warden, was still reviewing the complaint, but i was still concern because they were not following the Title 15 their own rules, so Petitioner wrote the Appeals Office and asked about the investigation that when the Appeals Office started saying Petitioner ran out of time.

continue

2 of

STATE OF CALIFORNIA
INMATE/PAROLEE APPEAL
CDCR 602 (REV. 03/12)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

COR-2140-21-707

Side 1

IAB USE ONLY

Institution/Parole Region:

Log #:

Category:

COR 136737

FOR STAFF USE ONLY

You may appeal any California Department of Corrections and Rehabilitation (CDCR) decision, action, condition, policy or regulation that has a material adverse effect upon your welfare and for which there is no other prescribed method of departmental review/remedy available. See California Code of Regulations (CCR), Title 15, Section 3084.1. You must send this appeal and any supporting documents to the Appeals Coordinator (AC) within 30 calendar days of the event that led to the filing of this appeal. If additional space is needed, only one CDCR Form 602-A will be accepted. Refer to CCR 3084 for further guidance with the appeal process. No reprisals will be taken for using the appeal process.

Appeal is subject to rejection if one row of text per line is exceeded.

WRITE, PRINT, or TYPE CLEARLY in black or blue ink.

Name (Last, First): <u>Solomon, King</u>	CDC Number: <u>TO2783</u>	Unit/Cel Number: <u>4B1R-3</u>	Assignment: <u>1/4</u>
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State briefly the subject of your appeal (Example: damaged TV, job removal, etc.):

Assault and BatteryA. Explain your issue (If you need more space, use Section A of the CDCR 602-A): Q1 Fri 7/12/2021to take a cup out of my hand, push me up against a wall and then hit me in the face over and over again while verbally abusing. With every punchB. Action requested (If you need more space, use Section B of the CDCR 602-A): No reprisals

Supporting Documents: Refer to CCR 3084.3.

 Yes, I have attached supporting documents.

List supporting documents attached (e.g., CDC 1083, Inmate Property Inventory; CDC 128-G, Classification Chrono):

 No, I have not attached any supporting documents. Reason:

Inmate/Parolee Signature: Date Submitted: 7/15/2021 By placing my initials in this box, I waive my right to receive an interview.

C. First Level - Staff Use Only

Staff - Check One: Is CDCR 602-A Attached? Yes No

This appeal has been:

- Bypassed at the First Level of Review. Go to Section E.
 Rejected (See attached letter for instruction) Date: _____ Date: _____ Date: _____ Date: _____
 Cancelled (See attached letter) Date: _____
 Accepted at the First Level of Review.

Assigned to: _____ Title: _____ Date Assigned: _____ Date Due: _____

First Level Responder: Complete a First Level response. Include Interviewer's name, title, interview date, location, and complete the section below.

Date of Interview: _____ Interview Location: _____

Your appeal issue is: Granted Granted in Part Denied Other: _____

See attached letter. If dissatisfied with First Level response, complete Section D.

Interviewer: _____ Title: _____ Signature: _____ Date completed: _____

(Print Name)

Reviewer: _____ Title: _____ Signature: _____

(Print Name)

Date received by AC: _____

AC Use Only
Date mailed/delivered to appellant / /

STATE OF CALIFORNIA
INMATE/PAROLEE APPEAL FORM ATTACHMENT
CDCR 602-A (REV. 03/12)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

COR-2140-21-707

Side 1

IAB USE ONLY	Institution/Parole Region:	Log #:	Category:
	COR	136737	
FOR STAFF USE ONLY			

Attach this form to the CDCR 602, only if more space is needed. Only one CDCR 602-A may be used.

Appeal is subject to rejection if one row of text per line is exceeded.

WRITE, PRINT, or TYPE CLEARLY in black or blue ink.

Name (Last, First): <u>Solomon, King</u>	CDC Number: <u>102783</u>	Unit/Cell Number: <u>431/R</u>	Assignment: <u>N/A</u>
<p>A. Continuation of CDCR 602, Section A only (Explain your issue): <u>Came an insult. He was calling me punk b!tch -- and, in between the vulgar insulting language, he would challenge me to strike back" he would throw a punch and then challenge me to defend myself. Co Lapia try to provoke and/or stirring up to commit a criminal act. This Wrongful Act was aid and abet, by Go Prada who would voice his agreement when something was said.</u></p>			
<p>Inmate/Parolee Signature: <u>[Signature]</u> Date Submitted: <u>7/1/2021</u></p>			

B. Continuation of CDCR 602, Section B only (Action requested):

Inmate/Parolee Signature: _____ Date Submitted: _____

**CLAIMANT GRIEVANCE RECEIPT ACKNOWLEDGMENT****Offender Name:** SOLOMON, KING C.**CDC#:** T02783**Date:** 08/16/2021**Current Location:** COR-Facility 04B**Current Area/Bed:** 04BB1RA1003002L**From:** Office of Grievances at California State Prison, Corcoran**Re:** Log # 000000136737

The California Department of Corrections and Rehabilitation Office of Grievances at California State Prison, Corcoran received your grievance on 07/07/2021. Your grievance has been assigned for review and response.

Pursuant to California Code of Regulations, title 15, the Office of Grievances will complete its review no later than 09/06/2021.

Please be informed that the Office of Grievances will not respond to any inquiries about the status of a grievance prior to the date shown above.

Once you receive a response and if you are dissatisfied with the decision(s), you may file an appeal with the California Department of Corrections and Rehabilitation Office of Appeals.

CDR S0MS DGT360
CLAIMANT GRIEVANCE RECEIPT ACKNOWLEDGMENT

Exhibit (4)(A)

Memorandum



To: Claimant

Subject: **TIME-EXPIRED RESPONSE FROM THE OFFICE OF APPEALS**

Thank you for submitting your appeal for review by the California Department of Corrections, Office of Appeals. Pursuant to Title 15, section 3486(i)(10), if the Office of Appeals is not able to respond to a claim in 60 calendar days, as in this case, then the claim must be answered "time-expired." As a result, the answer provided by the Office of Grievances remains unchanged and this appeal is now closed. No further action will be taken by the Department and no appeal of this action is permitted under the regulations.

Also, pursuant to Title 15, section 3485(e), "The appeal package submitted by the claimant shall be stored electronically by the Department. The CDCR Form 602-2 shall contain a notification to the claimant that the documents submitted will not be returned to the claimant." Therefore, your Form 602-2 and any supporting documents are not included with this response.

However, a copy of your entire appeal package is maintained in your Central File. The process for requesting copies of documents contained in Central Files, often referred to as an *Olsen* review, can be found in the Department Operations Manual, sections 13030.16 and 13030.17.

Thank you,

HOWARD E. MOSELEY
Associate Director

OFFICE OF THE OMBUDSMAN

1515 S Street, Sacramento, CA 95811
P.O. Box 942883
Sacramento, CA 94283-0001

January 12, 2022

King Solomon T02783
COR 04BB1RB2 037002
P.O. Box 3481
Corcoran, CA 93212

Subject: RECEIPT OF CORRESPONDENCE, CASE NUMBER 67664

Your letter to the Office of the Ombudsman has been received. Due to the high volume of inquiries received, the Ombudsman cannot intervene in all individual cases. However, please note that the Office monitors all correspondence to identify systemic issues, which is a critical element of the Ombudsman's role as a liaison between institutions and Headquarters, and as a policy advisor for the Administration.

- Your recent letter to the Office of the Ombudsman was received and based on a review of your letter and of the appropriate policies and procedures relevant to your concerns, the Ombudsman has determined that: **your grievance log# 136737 regarding this staff complaint was accepted and still under review. The Warden's office has the complaint and following staff misconduct allegation protocols. I will continue to monitor for your due process and currently they are within policy.**
- A review of the information you provided indicates that you have not exhausted your administrative remedies to resolve your issue and/or staff complaint. In accordance with CCR, Title 15 § 3084, you may appeal any departmental decision, action, condition, or policy which you can demonstrate as having a material adverse effect upon your welfare. Please file an appeal to resolve this matter. If you would like to send a copy, this Office can monitor your appeal for a timely and accurate response. Please note: this Office does not process appeals, nor does contacting this Office extend your timeframe for filing an appeal.
- An inquiry relative to your issue has been forwarded to the appropriate staff for review.
- No review will be conducted. This issue is outside of the scope of this Office.

Thank you for contacting the Office of the Ombudsman.



Scott Jacobs, Ombudsman
Office of the Ombudsman

Under 3084.9(i)(1) An inmate or parolee alleging staff misconduct by a department employee shall forward the appeal to the Appeal Coordinator only after the appeal has been reviewed and categorized as a staff complaint by the hiring authority or designee at a level not below, Chief Deputy Warden, as Exhibit 2-A clearly state that the grievance was still on the Warden desk therefore under 3084.9(i)(1) the appeal should have never been forward to the Appeals Coordinator therefore the tolling of time should have never started.

Petitioner would state that each mistake was a procedural error and taken in it's entirety it has denied Petitioner a fair outcome.

Petitioner has diligently sought to file this petition and Petitioner prays that the court will determine by their years of experience that Petitioner has shown by the facts, that deliberate action were taken to delay in order to gain an advantage and or frustrate, this has cause Petitioner vexation and expense. On 9/2021 Petitioner spoke to, Counselor Garza to send his federal complaint to the court, since a filing fee must be taken from Petitioner trust account and Counselor Garza has to verify Petitioner has the funds available, but Garza just instructed petitioner to send it through the institutional mail.

Only to have it return. Counselor Garza then instructed Petitioner to send his Federal Petition to R&R. Petitioner as instructed did that only to have it return. Petitioner then went to the program office and found a counselor who would follow the proper procedure and had him send it off, but the Trust Office sent it back again. See Exhibit (7) with a memo stating the envelope can not be sealed, that not true. Petitioner sent the complaint to the Trust Office again, this time through the Law Library the law librarian employee number was *83236, the law librarian sent the complaint back to the Trust Office, with a copy of the rules see Exhibit (w) and (v), stating that under Title 15 section 3133(4)(c) it state, the envelope can be sealed, the Trust Office sent it back again with a note please see Exhibit (9) outlining the perimeter on how and what it take to send the complaint through the Trust Office, it state petitioner counselor has to approve, verify the withdrawal from Petitioner trust account and then hand deliver it to the Trust Office. Petitioner informed Counselor Garza of what the Trust Office instructed, Counselor Garza response was she had spoken to the Trust Office, and Petitioner needed to go through the Law Library. Exhibit (u) will show the Court, that even after the Trust Office had spoken to Counselor Garza the run-around continue. Please see Exhibit (o) 3

YOUR TRUST WITHDRAWAL ORDER IS BEING RETURNED TO YOU FOR
THE FOLLOWING REASON(S):

- () You must have a Correctional Counselor approve/verify that you want this withdrawal to be processed from your trust account.
- () Your trust withdrawal order must be hand delivered by the Correctional Counselor to the Trust Office, cannot be submitted through the institutional mail system.
- () You must enclose a stamped, addressed envelope to have your check/order mailed out (no indigent envelopes will be accepted).
- () You must indicate a Purpose.
- () You must include a 10% IWF Fee.
- () Your purchase must go through R&R staff for approval prior to being processed by Trust Office staff. Include completed CDC 1060 form signed by R&R.
- () Insufficient funds.

envelope cannot be sealed already

TRUST OFFICE

3132. Responsibility and Compliance.

(a) Correspondents are personally responsible for the content of each item of mail they send into or out of a correctional facility. All persons corresponding with inmates must comply with existing laws, regulations and local rules. Any violation of laws governing mail will be referred to postal authorities and to appropriate criminal authorities. Violations of law, the policies and regulations set forth in this article, or of approved facility mail procedures may result in the temporary suspension or denial of correspondence between the persons involved.

(b) Departmental employees, inmates and persons corresponding with inmates must comply with the regulations set forth in this article and with approved facility mail procedures. Failure to do so may result in legal or administrative measures against the person or persons involved.

NOTE: Authority cited: Section 5058, Penal Code. Reference: Sections 2601, 2930, 5054 and 5058, Penal Code; and Procunier v. Martinez, 416 U.S. 396.

HISTORY:

1. Amendment of subsection (a) filed 7-17-2008; operative 7-17-2008 pursuant to Government Code section 11343.4 (Register 2008, No. 29).

3133. Definitions and Disposition of Mail.

(a) Definitions:

(1) First-Class Mail is all mail wholly or partly in writing or typewriting, all actual and personal correspondence, all bills and statements of account, and all matter sealed or otherwise closed against inspection. The maximum weight for a First-Class letter is 13 ounces. All First-Class Mail shall be delivered to the inmate as soon as possible, but not later than seven calendar days from receipt of the mail at the facility mailroom.

(2) Standard Mail, formerly called Bulk Mail, is used for advertising mail, catalogues, and newsletters of a non-personal nature that are not required to be mailed as First-Class Mail. The maximum weight for Standard Mail is 16 ounces.

(3) Periodicals are a class of mail consisting of magazines, newspapers or other publications formed of printed sheets that are published at least four times a year at regular, specified intervals from a known office of publication. The known office of publication must be a public office for transacting the business of the publication during normal business hours, and must also be the office where the publication's circulation records are available for USPS examination.

(4) Package Services are Parcel Post, bound Printed Matter, Media Mail, and Library Mail. With the exception of parole clothes and third party special purchase health appliances, inmates shall not be allowed to receive package services directly from personal correspondents. Packages containing parole clothes or third party special purchase health care appliances must be clearly marked with either "Parole Clothes" or "Health Care Appliance" on the outside of the package. Personal correspondents do not include the Courts, Law Firms, County, State and Federal Agencies, Publishers, Bookstores, Book Distributors, Religious Organizations that provide written materials only, etc.

(b) All incoming and outgoing mail shall be handled in accordance with the following:

(1) All incoming mail shall be properly addressed. Appropriately addressed mail shall include the inmate's name and department identification number. The mail should also include the address designated by the institution for inmate mail. The receiving institution is required to update any mail piece that does not reflect accurate housing or institutional location. Standard Mail must be addressed to an individual inmate, showing their name, CDCR number and the address for the applicable institution.

(2) All outgoing mail shall be properly addressed, and shall be marked indicating that it originated from a California State Correctional Facility. If addressed to an inmate, it must contain the sender's name, department identification number and the return address designated by the institution for inmate mail, including housing. It shall also contain the recipient's name, address, city, state, and zip code.

(3) All incoming packages and non-confidential mail addressed to an inmate will be opened and inspected before delivery to the inmate. The purpose of inspection will be to receive or receipt any funds enclosed for deposit to the inmate's trust account, to verify and record the receipt of permitted personal property, and to prevent the introduction of contraband. All non-confidential inmate mail, incoming or outgoing, is subject to being read in its entirety by designated staff. All non-confidential inmate mail that is "returned to sender" shall be opened and inspected before being returned to the inmate.

(4) Facilities shall not require incoming books, magazines or newspapers to have an institution pre-approved "vendor approved" label affixed to the packaging. A departmentally approved vendor is any publisher, book store, or book distributor, that does mail order business. Books, periodicals or other publications that are mailed from a religious organization shall be considered as coming from an authorized vendor.

(c) Confidential Mail with Inmate Trust Account Withdrawals. Inmate confidential mail submitted with a CDC Form 193, Inmate Trust Withdrawal (Rev. 1/88), to pay for filing fees or other costs may be left unsealed so that the voucher (check) can be enclosed after the trust account withdrawal has been processed. Inmates who do not wish to forward this type of mail unsealed should attach a stamped, appropriately addressed envelope to the confidential mail so the check can be enclosed and forwarded in the extra envelope.

(d) Undelivered Mail. All undelivered letters and packages returned to a facility by the post office shall be opened and inspected before being returned to the inmate. This inspection is to determine if the content originated with the inmate sender identified on the letter or package, and to prevent the transmission of contraband, material, substances, and property that an inmate is not authorized to possess in the correctional facility. The inspection of returned mail includes regular mail and letters that were mailed as confidential correspondence. In the case of returned confidential correspondence, the envelope shall be opened in the presence of the inmate. It shall be examined and read to the degree necessary to determine if it was sent by the inmate and opened or tampered with before its return to the facility. Upon completion of this examination, the returned correspondence shall be given to the inmate. Any contraband found in the returned correspondence shall be confiscated and processed, and appropriate disciplinary action taken.

(e) Unmailed Correspondence. If any First-Class Mail is not accepted for mailing, or is accepted for mailing but is not properly mailed, the inmate shall be notified in writing of the reason for refusal to accept or to promptly mail the item(s). When the delay in mailing exceeds 5 business days, the notice shall be sent and include the disposition of such mail. Unless retention of such mail is required

3165. Mailing Legal Documents.

- (a) The mailing of legal documents to courts and claims to the Department of General Services, Office of Risk and Insurance Management (DGS ORIM) is the inmate's responsibility. Mail designated by the inmate as legal mail will be delivered to the facility mail room for inspection, pursuant to Sections 3144 and 3145, and mailing in accordance with local facility mail procedures. The mail room shall maintain a current address list of federal, state, county, appellate, and district courts. The mail room will send mail out each working day.
- (b) With each transmittal of mail to a court or claim filed with the DGS ORIM requiring the addition of postage, the inmate must submit a signed CDC Form 193, Trust Account Withdrawal Order. The mail room will remove the trust account withdrawal order, enter the amount of postage required, and forward the order to the trust office for processing. Mail addressed to a court or claims addressed to the DGS ORIM will be posted on the inmate's CDC Form 119, Mail Record.
- (c) Notarization of legal documents shall be available at all institutions. The inmate shall pay the established notary fee for such service unless the inmate is indigent as defined in Section 3000. When the inmate requests notarization, they shall indicate which document they request to have notarized.
- (d) The cost of postage for mailing documents to the courts shall be charged against an inmate's trust account unless the inmate is indigent at the time the documents are submitted for mailing.

3133 (6) stamped envelope with trust withdrawal to pay filing fee.

TO: *Solomon T02983*

Case 1:22-cv-01604-KES-HBK Document 1 Filed 12/15/22 Page 17 of 22

DATE: *3/25/22*

**YOUR TRUST WITHDRAWAL ORDER IS BEING RETURNED TO YOU FOR
THE FOLLOWING REASON(S):**

- You must have a Correctional Counselor approve/verify that you want this withdrawal to be processed from your trust account.
- Your trust withdrawal order must be hand delivered by the Correctional Counselor to the Trust Office, cannot be submitted through the institutional mail system. *37*
- You must enclose a stamped, addressed envelope to have your check/order mailed out (no indigent envelopes will be accepted).
- You must indicate a Purpose.
- You must include a 10% IWF Fee.
- Your purchase must go through R&R staff for approval prior to being processed by Trust Office staff. Include completed CDC 1060 form signed by R&R.
- Insufficient funds.

TRUST OFFICE

Exhibit (9)

INMATE REQUEST FOR INTERVIEW

DATE 3/31/22	TO Counselor Garza	FROM (LAST NAME) Solomon	CDCR NUMBER T02783
HOUSING 4B3/R	BED NUMBER 37	WORK ASSIGNMENT Welding	JOB NUMBER FROM - TO -
OTHER ASSIGNMENT (SCHOOL, THERAPY, ETC.) - - - - -			ASSIGNMENT HOURS FROM - TO -

Clearly state your reason for requesting this interview.
You will be called in for interview in the near future if the matter cannot be handled by correspondence.

I just receive a memorandum from the Trust Office it gave instruction on paying filing fee to the court. It says the correctional counselor has to verify the withdrawl and then hand deliver it along with the legal mail to the Trust office. Can you ducat me.

Do NOT write below this line. If more space is required, write on back.

INTERVIEWED BY

DATE

DISPOSITION

I SPOKE TO TRUST AND EDUCATION (law library) WHO STATED IT NEEDS TO BE SENT OUT THOUGH THE LAW LIBRARY.

INMATE REQUEST FOR INTERVIEW

DATE <u>4/13/22</u>	TO [REDACTED]	FROM (LAST NAME) <u>Solomon</u>	CDCR NUMBER <u>T02783</u>
HOUSING <u>4B1R</u>	BED NUMBER <u>37</u>	WORK ASSIGNMENT <u>Welder</u>	JOB NUMBER FROM — TO —
OTHER ASSIGNMENT (SCHOOL, THERAPY, ETC.) — —		<u>N/A</u>	ASSIGNMENT HOURS FROM — TO —

Clearly state your reason for requesting this interview.

You will be called in for interview in the near future if the matter cannot be handled by correspondence.

On 3/25/22 Trust Office sent me a notice stating my counselor has to verify/ approve and hand deliver my legal mail for filing see to the Trust Office. I told Counselor Garza this and Garza said the trust office told her to send it through the law library. What is the truth and how do i send it off.

Do NOT write below this line. If more space is required, write on back.

INTERVIEWED BY


DATE

DISPOSITION

Are you trying to send a chick out to the courts, if so that would be hand delivered by the counselor to us. If it's mail going out that is processed accordingly by policy.

It will show the Court. Petitioner told his counselor this. Counselor Garza response was she had spoken to the Trust Office, and Petitioner needed to go through the Law Library. Exhibit (u) will show the Court, that even after the Trust Office had spoken to Counselor Garza the run-around continue.

The Trust Office would tell Petitioner the counselor has to do the mailing, the counselor would tell Petitioner the Law Library has to do the mailing, the Law Library would ask the Trust Office and the Trust Office would tell the Law Library that the Counselor has to do the mailing, this was purposely done to send Petitioner around and around in circle to Obstruct The Process. Petitioner informed the Senior Librarian who had help Petitioner before about this same problem Petitioner is having now. Mrs Lirones told Petitioner to be patient and to perform the procedure the Trust Office had requested one more time, to give the Trust Office a chance to correct the out-come.

Petitioner did this but after weeks pass by with no movement from the Trust Office, Petitioner again spoke to the Senior Librarian who then took everything over to the Trust Office personally and file the law-suit herself.

The Trust Office took the filing fees from Petitioner trust account, but never sent the check to the Court, please see Exhibit (v-1) where the Court dismiss my law suite because the Court never received the check from the Trust Office to pay for Petitioner filing fees. Please see Exhibit (v-2) where the Trust Office took the money from Petitioner account.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV22-03435-MCS (ASx) Date May 23, 2022

Title King Solomon v. Tapia et al

Present: The Honorable Alka Sagar, United States Magistrate Judge

<u>Alma Felix</u>	<u>N/A</u>
<u>Deputy Clerk</u>	<u>Court Reporter / Recorder</u>

Attorneys Present for Plaintiff: Attorneys Present for Defendant:

<u>N/A</u>	<u>N/A</u>
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Proceedings: **(IN CHAMBERS) ORDER RE: DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS**

On May 17, 2022, Plaintiff submitted a complaint for filing. The filing fee has not been paid, nor has a Request to Proceed in Forma Pauperis been submitted. Plaintiff may submit a request within 30 days of the date of this order on the approved IFP form along with a copy of his Certified Trust Fund Statement for the past six (6) months which MUST be signed by an Authorized Officer. The approved IFP form is attached to this order.

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